



09-07-04

H RLE
ISWAttorney Docket No. 039386-0536
Application Serial No. 09/877,633

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lal et al.

Title: DIAGNOSTIC
MARKER FOR
HUMAN CANCERS

Application No.: 09/877,633

Application Filing Date: 06/08/2001

Examiner: Slobodyansky,
Elizabeth

Art Unit: 1652

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 505796837 US September 3, 2004
(Express Mail Label Number) (Date of Deposit)

Deborah A. Kocorowski
(Printed Name)

Deborah A. Kocorowski
(Signature)

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. § 141, or the commencement of a civil action under 35 U.S.C. § 145 or § 146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. § 1.114: (check items that apply)

Enclosed are:

- ☒ [X] Amendment/Reply (17 pages).
- ☒ [X] Information Disclosure Statement (2 pages).
- ☒ [X] Form PTO/SB/08 (2 pages).
- ☒ [X] Copies of 13 referenced documents.

09/07/2004 SDENBOB1 00000089 09877633

01 FC:1801

770.00 OP

The filing fee is calculated below:

	Claims as Amended	Previously Paid For	Extra Claims Present	Rate	Fee Totals
RCE Fee 1.17(e):				\$770.00	= \$770.00
Total Claims:	15	- 20	= 0	x \$18.00	= \$0.00
Independents	4	- 4	= 0	x \$86.00	= \$0.00
First presentation of any Multiple Dependent Claims:				+ \$290.00	= \$0.00
CLAIMS FEE TOTAL:					= \$770.00

☒ Applicants hereby petition for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

<input checked="" type="checkbox"/>	Extension for response filed within the first month:	\$110.00	1	\$110.00
<input type="checkbox"/>	Extension for response filed within the second month:	\$420.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the third month:	\$950.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fourth month:	\$1,480.00		\$0.00
<input type="checkbox"/>	Extension for response filed within the fifth month:	\$2,010.00		\$0.00
EXTENSION FEE SUBTOTAL:				\$110.00
EXTENSION FEE ALREADY PAID: -				\$0.00
EXTENSION FEE TOTAL				\$110.00
CLAIMS AND EXTENSION FEE TOTAL:				\$880.00
<input type="checkbox"/>	Small Entity Fees Apply (subtract ½ of above):			\$0.00
<input type="checkbox"/>	Suspension of action requested under 37 C.F.R. § 1.103(c)			\$0.00
TOTAL FEE:				\$880.00

☒ A check in the amount of \$880.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 06-1447. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1447.

Attorney Docket No. 039386-0536
Application Serial No. 09/877,633

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 9/3/04

FOLEY & LARDNER LLP
Customer No. 22428

By M. Scott McBride

M. Scott McBride
Attorney for Applicant
Registration No. 52,008
Telephone: (414) 297-5529
Facsimile: (414) 297-4900



Attorney Docket No. 039386-0536
Application Serial No. 09/877,633

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Lal et al.

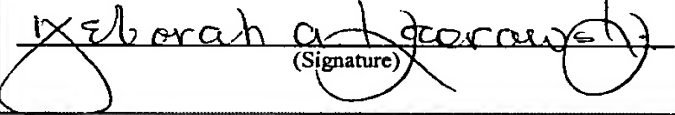
Title: DIAGNOSTIC MARKER FOR
HUMAN CANCERS

Appl. No.: 09/877,633

Filing Date: June 8, 2001

Examiner: Slobodyansky, Elizabeth

Art Unit: 1652

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EV 505796837 US (Express Mail Label Number)	September 3, 2004 (Date of Deposit)
Deborah A. Kocorowski (Printed Name)	
 (Signature)	

AMENDMENT AND REPLY

FILED WITH REQUEST FOR CONTINUED EXAMINATION

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This submission is included with a Request for Continued Examination.

Amendments to the Specification begin on page 2 of this document.

Amendments to the Claims are reflected in the listing of claims which begins on page 3 of this document.

Remarks begin on page 7 of this document.

Please amend the application as follows:

09/07/2004 SDENBOB1 00000089 09877633

02 FC:1251

110.00 0P